

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Oscar Alberto SANCHEZ-Solorzano,

Defendant

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

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'08 MJ 1182

The undersigned complainant, being duly sworn, states:

On or about **April 16, 2008** within the Southern District of California, defendant, **Oscar Alberto SANCHEZ-Solorzano**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17<sup>th</sup> DAY OF **APRIL 2008**.

Barbara L. Major

UNITED STATES MAGISTRATE JUDGE

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**CONTINUATION OF COMPLAINT:****Oscar Alberto SANCHEZ-Solorzano****PROBABLE CAUSE STATEMENT**

On April 16, 2008, Border Patrol Agent W. Stephens was performing his assigned duties as a Border Patrol Agent in the Imperial Beach Border Patrol Station's area of operations. Agent Stephens was conducting patrol duties approximately four miles west and one-half mile north of the San Ysidro, California Port of Entry.

At approximately 6:15 a.m., Agent Stephens was notified by an infrared scope operator that a group of six individuals were observed walking north. Agent Stephens was advised that the six individuals were walking on the trail towards his position. Agent Stephens identified himself as a United States Border Patrol Agent and conducted an immigration inspection. All six, including one individual later identified as the defendant **Oscar Alberto SANCHEZ-Solorzano** stated that they were citizens and nationals of Mexico without any immigration documents allowing them to enter or remain in the United States. All six were placed under arrest and transported back to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on July 28, 2006 through Del Rio, Texas**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights and he stated that he understood these rights and was willing to answer questions without a lawyer present. The defendant stated that he is a citizen and national of Mexico, without any legal Immigration documents that allow him to remain in the United States legally. The defendant stated he was going to Santa Barbara, California.